

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 05-57146

LANETTE KIMBERLY DAVIS,

Chapter 7

Debtor.

Judge Thomas J. Tucker

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**ORDER DENYING PURPORTED MOTION TO WITHDRAW (DOCKET # 64)**

On January 7, 2009, Debtor's attorney filed a document entitled "Notice of Withdrawal of Attorney," which states only that "Attorney Mark P. McLoughlin hereby withdraws as Attorney for the Debtor stated in the above caption." (Docket # 64.) When he filed this document, attorney MdLoughlin caused it to be labeled as a "Motion to Withdraw as Attorney" on the Court's docket. On January 29, 2009, Debtor's attorney filed a Certificate of No Response, indicating that no one had filed an objection to his "Withdrawal of Attorney." (Docket # 76). Also on January 29, 2009, attorney McLoughlin submitted to chambers a proposed order granting him leave to withdraw.

The Court will not enter an order permitting Debtor's attorney to withdraw at this time, because Debtor's attorney has not followed the correct procedure for seeking leave to withdraw. Debtor's attorney must file a motion under Fed.R.Bankr.P. 9014 and L.B.R. 9014-1. Because Debtor's attorney has not done this,

IT IS ORDERED that the purported motion for leave to withdraw filed by Debtor's attorney on January 7, 2009 (Docket # 64) is DENIED, without prejudice to the filing of a new, proper motion seeking such relief that fully complies with applicable rules.

**Signed on January 29, 2009**

**/s/ Thomas J. Tucker**

**Thomas J. Tucker**

**United States Bankruptcy Judge**